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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
TOYOHICO USHIKU)
Application No.: 09/900,036)
Filed: July 9, 2001)
For: INFORMATION PROCESSING)
SYSTEM, APPARATUS, AND)
METHOD, AND STORAGE MEDIUM)
Examiner: R. Harrelll
Group Art Unit: 2142
October 21, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the September 21, 2004 Restriction Requirement, Applicant hereby elects to prosecute the Group I claims, namely Claims 1 to 10, 15 to 24 and 29. The requirement is however, respectfully traversed.

In this regard, the Office Action indicates that the three groups are related as combination-subcombination claims, which, according to the Office Action, are distinct from one another if they can be shown to be separately usable.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

October 21, 2004
(Date of Deposit)

Edward A. Kmett (Reg. No. 42,746)
(Name of Attorney for Applicant)


Signature

October 21, 2004
Date of Signature

It is noted that Claims 1 to 5 are system claims that include various components which make up the system, which component parts are claimed in Claims 6 to 10, 11 and 12, and 13 and 14, respectively. For example, the apparatus of Claim 6 can be seen to perform the functions of the acquisition means, setting means, and transfer means of Claim 1, while the apparatus of Claim 11 can be seen to perform the functions of the service use means of Claim 1. Additionally, Claim 13 may be seen to correspond to the second service providing device of Claim 1. Thus, the features of each of the component claims can be seen to be included in the system claims. As such, a search for the Group I claims would necessarily encompass a search for the remaining groups. As such, examination of all of the claims in a single application would not present a serious burden on the Examiner. (See MPEP § 803: "If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent and distinct inventions.") Accordingly, reconsideration of the restriction requirement and examination of all of the claims on the merits is respectfully requested.

Applicant's undersigned attorney may be reached in our Costa Mesa,
California office at (714) 540-8700. All correspondence should continue to be directed to
our below-listed address.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Edward A. Kmett', is written over a horizontal line.

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